



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fritzke et al.

Title: BALL BAT HAVING A
HITTING PORTION WITH
VARIABLE WALL THICKNESS

Appl. No.: 10/781,244

Filing Date: 18 February 2005

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Mail Stop: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Notice Of Abandonment Under 37 C.F.R. 1.53(f) Or (g) mailed on February 9, 2005, and the Notice To File Corrected Application Papers mailed on May 18, 2004 regarding the above-referenced U.S. Patent Application. The Notice states that: the drawings submitted to the Office were not electronically reproducible, in particular Figure 5. With this Response, replacement drawings are submitted as well as a copy of the Notice of Abandonment and a copy of the Notice To File Corrected Application Papers are attached with this Response. No new matter is introduced with the replacement drawings.

Please find enclosed the following items:

- [X] Replacement Drawings, Figures 1-12 (12 sheets);
- [X] A Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) (Form PTO/SB/64) (2 pgs).

- ☒ [X] A Copy of the Notice To File Corrected Application Papers (1 page).
- ☒ [X] A Copy of the Notice Of Abandonment Under 37 C.F.R. 1.53(f) Or (g) (2 pages).
- ☒ [X] Postcard


Authorizations:

- ☒ [X] The Commissioner is hereby authorized to charge the petition fee under 37 C.F.R. § 1.17(m) in the amount of \$1370.00 to Deposit Account No. 501959.
- ☒ [X] Commissioner is hereby authorized to charge the any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 501959. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 501959.

Respectfully submitted,

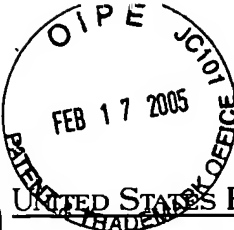
Date 16 February 2005

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By 

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/781,244	02/18/2004	Mark A. Fritzke	WD0110

CONFIRMATION NO. 3143

FORMALITIES LETTER



OC00000012697003

Terence P. O'Brien
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 Chicago, IL 60631

Date Mailed: 05/18/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 5.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE